

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

UNITED STATES OF AMERICA)
)
 v.) CASE NO. 3:07cr150-MHT
)
BENJAMIN FOSTER)

MOTION TO STRIKE FORFEITURE ALLEGATION

Comes now the United States of America, by and through Leura G. Canary, United States Attorney, Middle District of Alabama, and Tommie Brown Hardwick, Assistant United States Attorney, and hereby moves this Court to strike the forfeiture allegation from the indictment returned July 18, 2007.

A proposed Order is filed herewith.

Respectfully submitted this 14th day of July, 2008.

LEURA G. CANARY
UNITED STATES ATTORNEY

/s/Tommie Brown Hardwick
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CERTIFICATE OF SERVICE

I hereby certify that on July 14, 2008, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to all counsel of record.

Respectfully submitted,

/s/Tommie Brown Hardwick
TOMMIE BROWN HARDWICK
Assistant United States Attorney

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O R D E R

Upon consideration of the Motion to Strike Forfeiture Allegation heretofore filed in the above-styled cause, and for good cause shown, the Court is of the opinion that the Motion should be and the same is hereby GRANTED. It is, therefore, **ORDERED, ADJUDGED and DECREED** by the Court that the forfeiture allegation is hereby stricken.

DONE this ____ day of _____, 2008.

UNITED STATES DISTRICT JUDGE